IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 8319 of 2007(M)

PETITIONER:

N.SUKUMARAN,S/O.NANU,KARUMAKKAL VEETTIL,
PAMPADUMPARA VILLAGE,SENGASIODA P.O.

BY ADV. SRI.S.SACHITHANANDA PAI

RESPONDENTS:
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1. SPECIAL DEPUTY TAHASILDAR,REVENUE
RECOVERY,K.S.F.E KOTTAYAM.

2. K.S.F.E, BRANCH OFFICE,KATTAPPANA.

BY ADV. SRI.T.NAVEEN, SC, K.S.F.E. LTD. - FOR R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 8319/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE NOTICE DATED 15/01/2007 ISSUED TO THE PETITIONER BY 1ST RESPONDENT.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 8319 of 2007

Dated, this the 11th day of June, 2007

J U D G M E N T

The only prayer is for permission to petitioner to sell part of the mortgaged property to settle liability. Since the request is quite reasonable, WP(C) is disposed of granting facility to the petitioner to arrange sale of any portion of the mortgaged property and enter into sale agreement. However, sale deed will be executed only after settling entire liability due to KFC. If petitioner settles liability within three months from today, there will be direction to the respondents to waive penal interest and collection charges. However, if liability is not settled by 15/09/2007, the respondents are free to sell the entire mortgaged property. Recovery proceedings will be kept in abeyance for three months and if petitioner does not settle liability, entire property can be proceeded against recovery.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg